

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING MINUTES HELD ON  
WEDNESDAY, JULY 10, 2002  
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
19925 TWENTY-THREE MILE ROAD  
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR  
MICHAEL KOEHS, CLERK  
MARIE MALBURG, TREASURER  
TRUSTEES: DINO F. BUCCI, JR.  
JANET DUNN  
CHARLES OLIVER

Also in attendance: Larry Dloski, Township Attorney  
Jim VanTiflen, Township Engineer  
Jerome R. Schmeiser, Community Planning Consultant  
(Additional attendance record on file with Clerk)

ABSENT: KENNETH MEERSCHAERT, JR.

CALL MEETING TO ORDER

Supervisor BRENNAN called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

1. ROLL CALL.

Clerk KOEHS Called Roll. Member MEERSCHAERT absent.

**MOTION by BUCCI seconded by MALBURG to request to exclude that the name of Member MEERSCHAERT will not be called for any future motions.**

**MOTION carried.**

2. APPROVAL OF AGENDA ITEMS (with any addendum's)

**MOTION by DUNN seconded by MALBURG to approve the agenda as amended with the following addendum's:**

Additions:

**PLANNING COMMISSION**

- 7a. **Easement Encroachment Agreement; John and Jodie Clement; 18689 Sabine Drive; Lot # 202 located within Sumpter Forest Subdivision. Permanent Parcel NO. 08-08-231-027.**

**NEW BUSINESS**

**8a. Request to schedule Public Hearing; Special Assessment District; Street Lighting for Fairways East Condominiums.**

**11a. Request to sent two (2) Mechanical Inspectors to Fall Conference.**

**MOTION carried.**

**3. APPROVAL OF BILLS**

**MOTION by DUNN seconded by OLIVER to authorize the approval of bills as submitted.**

**MOTION carried.**

**4. APPROVAL OF MEETING MINUTES**

**MOTION by OLIVER seconded by MALBURG to approve the meeting minutes of Wednesday, June 26, 2002 as presented.**

**MOTION carried.**

**5. Public Comments (Non Agenda items only - 3 minute time limit)**

None.

**PLANNING COMMISSION:**

**6. Request for Variances from Land Division Ordinance, Proposed Tentative Preliminary Plat; Westminster Subdivision; 495 lots; Located north of 22 Mile Road and approximately one-half mile east of Hayes Road; Section 19; Grand Sakwa Macomb Airport, L.L.C., Petitioner. Permanent Parcel No. 08-19-200-012.**

Jerome R. Schmeiser, Community Planning Consultant reviewed the request and stated the Planning Commission Recommendations.

Public Portion: None.

Petitioner: Craig Duckwitz, representative, present.

**MOTION by DUNN seconded by KOEHS to approve the request based upon the Planning Consultants Recommendations for the Variances from Land Division Ordinance, Proposed Tentative Preliminary Plat; Westminster Subdivision; 495 lots; Permanent Parcel No. 08-19-200-012.**

**MOTION carried.**

7. Extension of Time; Sycamore Estates Subdivision; Located on the southeast corner of Card Road and 22 Mile Road; Section 26. Permanent Parcel No. 08-26-100-001.

Supervisor BRENNAN reviewed the request and held further discussion.

Public Portion: None.

Petitioner: Jim Grosser, representative, present.

**MOTION by OLIVER seconded by MALBURG to approve the Extension of Time; Sycamore Estates Subdivision; Permanent Parcel No. 08-26-100-001. The Extension of time was granted for one (1) year to expire on June 27, 2003.**

**MOTION carried.**

- 7a. Easement Encroachment Agreement; John and Jodie Clement; 18689 Sabine Drive; Lot # 202 located within Sumpter Forest Subdivision. Permanent Parcel No. 08-08-231-027.

Jerome R. Schmeiser, Community Planning Consultant reviewed the request and stated the Planning Commission Recommendations.

Public Portion: None.

Petitioner: None

**MOTION by BUCCI seconded by KOEHS to grant the Easement Encroachment Agreement; John and Jodie Clement; 18689 Sabine Drive; Lot # 202 Permanent Parcel No. 08-08-231-027.**

**MOTION carried.**

NEW BUSINESS:

8. Request to Schedule Public Hearing; Special Assessment District; Street Lighting for English Gardens Subdivision.

Supervisor BRENNAN and Clerk KOEHS held discussion regarding the Public Hearing Dates.

**MOTION by OLIVER seconded by DUNN to approve the Request to Schedule Public Hearing date of August 14, 2002; Special Assessment District; Street Lighting for English Gardens Subdivision.**

**MOTION carried.**

- 8a. Request to schedule Public Hearing; Special Assessment District; Street Lighting for Fairways East Condominiums.

Supervisor BRENNAN and Clerk KOEHS held discussion regarding the Public Hearing Dates.

**MOTION by DUNN seconded by KOEHS to approve the Request to schedule Public Hearing date of August 14, 2002; Special Assessment District; Street Lighting for Fairways East Condominiums.**

**MOTION carried.**

9. Authorization for Township Attorney to defend Card/21 LLC v Macomb Township on Michigan Tax Tribunal Appeal.

Supervisor BRENNAN reviewed the request for the Township Attorney to defend Card/21 LLC v Macomb Township on Michigan Tax Tribunal Appeal.

**MOTION by DUNN seconded by OLIVER to approve the Authorization for Township Attorney to defend Card/21 LLC v Macomb Township on Michigan Tax Tribunal Appeal.**

**MOTION carried.**

10. Bielat – SMDA Status Report.

Township Attorney, Larry Dloski held a detailed discussion regarding the Bielat – SMDA Status Report.

Informational only.

11. MAFF (Michigan Association of Fire Fighters) Grievance Hearing 02-003.

Supervisor BRENNAN reviewed the request with the Members of the Board and held further discussion.

Public Portion: None.

Petitioner Representative: James Thompson, Representative of the Michigan Associations Fire Fighters (MAFF) held a detailed discussion regarding the purpose of request, and addressed questions and concerns.

**MOTION by BUCCI seconded by OLIVER to deny the MAFF (Michigan Association of Fire Fighters) Grievance Hearing 02-003.**

**MOTION carried.**

**MOTION by BUCCI seconded by OLIVER to authorize the Township Attorney to defend Macomb Township against MAFF (Michigan Association of Fire Fighters) Grievance Hearing 02-003 with an Unfair Labor Practice.**

**MOTION carried.**

11a. Request to sent two (2) Mechanical Inspectors to Fall Conference.

Bob Beckett, Township Building Department Official reviewed the request.

Public Portion: None.

**MOTION by DUNN seconded by KOEHS to approve the Request to sent two (2) Mechanical Inspectors to Fall Conference including meals and mileage.**

**MOTION carried.**

**WATER AND SEWER DEPARTMENT:**

12. Easement Encroachment Request; Christopher J. & Jennifer Johnson, 46742 Middle Brook Drive, Macomb, MI 48044, Lot 116, Riverwoods Subdivision Phase II.

David Koss, Township Water and Sewer Department Superintendent reviewed the request and stated his recommendations.

Public Portion: None.

**MOTION by OLIVER seconded by MALBURG to grant the approval for the Easement Encroachment Request; Christopher J. & Jennifer Johnson, 46742 Middle Brook Drive, Macomb, MI 48044, Lot 116, Riverwoods Subdivision Phase II.**

**MOTION carried.**

13. Request for Temporary Cement Batch Plant, John Carlo Inc.

- a. Lancaster Subdivision
- b. Twin Rivers Subdivision Phase I

David Koss, Township Water and Sewer Department Superintendent reviewed the request and stated his recommendations.

Public Portion: Tony Cardillo, Representative, John Carlo Inc. Mr. Cardillo held further discussion with Mr. Koss and the Members of the Board.

**MOTION by OLIVER seconded by KOEHS to approve Cornerstone Village Subdivision Request for Temporary Cement Batch Plant, John Carlo Inc. to pour Cornerstone village Subdivision, Fieldstone Estates Subdivision and Lancaster Subdivision. The approval was granted for a period of 30 days to begin start date of July 11, 2002 to expire on August 10, 2002.**

**MOTION carried.**

**MOTION by KOEHS seconded by MALBURG to approve the Request for Temporary Cement Batch Plant, John Carlo Inc. Twin Rivers Subdivision Phase I; starting from August 1, 2002 for a duration of thirty (30) days.**

**FOR THIS MOTION: KOEHS, MALBURG, BRENNAN.**

**OPPOSED: OLIVER, DUNN, BUCCI.**

**ABSENT: MEERSCHAERT.**

**MOTION FAILED. NO FURTHER ACTION.**

**BOARD COMMENTS:**

14. Supervisor's Comments

None.

15. Clerk's Comments

- a. Request permission for employee to attend the GFOA (Government Finance Officers Association) Advanced Government Finance Institute.

Clerk KOEHS reviewed request for Township employee Nancy Eckman, Compensation Finance Supervisor and held further discussion with the members of the Board.

Public Portion: None.

**MOTION by DUNN seconded by KOEHS to approve the Request of permission for Township employee Nancy Eckman, Compensation Finance Supervisor to attend the GFOA (Government Finance Officers Association) Advanced Government Finance Institute.**

**MOTION carried.**

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16. Treasurer's Comments

None.

17. Trustee's Comments

None.

**MOTION by DUNN seconded by KOEHS to adjourn the Members of the Board into Executive Session at 7:51 P.M.**

**MOTION carried**

**EXECUTIVE SESSION:**

The board returned from Executive Session at 8:03 P.M.

18. Bielat v Macomb Township

**MOTION by KOEHS seconded by DUNN to authorize the Township Attorney to process a Settlement Proposal Letter regarding Bielat v Macomb Township.**

**MOTION carried.**

**ADJOURMENT**

**MOTION by DUNN seconded by KOEHS to adjourn the meeting at 8:04 P.M.**

**MOTION carried.**

Respectfully,

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John D. Brennan, Supervisor

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Michael D. Koehs, Clerk

Gabrielle M. Baker, Recording Secretary  
MDK/gmb